

City Council Minutes
October 8, 2013

Regular Meeting
City Hall Council Chambers

Tuesday, October 8, 2013
6:00 p.m.

The regular meeting was called to order by Chairman Kevin O'Connell.
The city clerk called the roll:

Councilor Ferris	-	present	Councilor Vachon	-	present
Councilor Verow	-	present	Chairman O'Connell	-	present
Councilor Goss	-	present			

Chairman O'Connell declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

Chairman O'Connell led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Chairman O'Connell read the notice for the regular meeting.

TO: Joseph Ferris, Arthur Verow, Jerry Goss, Kevin O'Connell and Matthew Vachon
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Tuesday, September 17, 2013 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider and act on the items on the attached agenda.

s/Kevin O'Connell

Mayor and Chairman of the City Council

or

Majority of the City Council

a true copy, attest: s/Pamela J. Ryan

City Clerk

OFFICER'S RETURN

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand or by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

Given/Delivered to:	by (person delivering)	Title	Date	Time
Joseph Ferris	L. Sewall	Cpl.	10/04/13	1455
Matthew Vachon	P. Ryan	CC	10/04/13	3:50p.m.
Arthur Verow	L. Sewall	Cpl.	10/04/13	1604
Jerry Goss	L. Sewall	Cpl.	10/04/13	1608
Kevin O'Connell	P. Ryan	CC	10/04/13	
3:45p.m.				

Council Candidates:

Jennifer Jalbert	L. Sewall	Cpl.	10/04/13	1708
Beverly Uhlenhake	L. Sewall	Cpl.	10/04/13	1551
Will Rogers	L. Sewall	Cpl.	10/04/13	1545
Ashley Blachard	L. Sewall	Cpl.	10/04/13	1451

CITY COUNCIL REGULAR MEETING

Tuesday, October 8, 2013 6:00 P.M.

Brewer City Hall Council Chambers

I. Call to Order. (Mayor Kevin O'Connell)

II. Roll Call. (City Clerk)

III. Pledge of Allegiance to the Flag of the United States of America. (Mayor O'Connell)

A. Minutes of September 17, 2013 Special and Regular Meetings and September 26, 2013 Emergency Special Meeting. (Councilor Verow)

B. Awards, Petitions and Public Comments.

1. (2013-B061) RESOLVE, Recognize Sondra Barber for 25 Years of Service to the City of Brewer.
(Councilor Ferris)
2. (2013-B062) RESOLVE, Recognize Daniel R. Taylor for 25 Years of Service to the City of Brewer.
(Councilor Goss)
3. Public Comments.

IV. Recess for Public Hearing.

1. Application of Green Point, 204 Green Point Road for Automobile Recycling Permit.
2. To determine if the building, or portion thereof, located at 4 Somerset Street (Assessor's Map 30, Lot 48) may be structurally unsafe, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance; dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

V. Adjourn Public Hearings and Continue with Regular Meeting.

C. Consent Calendar.

1. (2013-A166) ORDER, Direct the City Clerk to Publish the Complete Text of the Annual Municipal and School Bond Referendum Ballot for the November 5, 2013 Election in the Bangor Daily News.
(Councilor Verow)
2. (2013-A167) ORDER, Issue Green Point an Automobile Recycling Business Permit at 206 Green Point Road.
(Councilor Vachon)

3. (2013-A168) ORDER, Determination that the Residence/Building Situated at 4 Somerset Street, Brewer, Maine, is a Dangerous Structure Pursuant to Title 17, M.R.S.A, Section 2851, et seq. (Councilor Ferris)
4. (2013-A169) ORDER, Close out HUD Funded Project to Redevelop Former Mersinger Lot and Appropriate TIF Funds to Cover Final Expenses. (Councilor Goss)
5. (2013-A170) ORDER, Authorizing Issuance of the City's General Obligation Bonds to Finance Various Municipal Transportation and Infrastructure Projects and a Tax Levy Therefor. (Councilor Verow)
6. (2013-A171) ORDER, Accept Proceeds from Sale of Surplus Materials and Appropriate for Use. (Councilor Vachon)
7. (2013-A172) ORDER, Authorize Contract with T-Buck Construction, Inc. to Provide Construction Services for UV Treatment Addition and Installation. (Councilor Ferris)
8. (2013-A173) ORDER, Authorize Purchase of a Replacement 1 Ton Dump Truck/Plow for Public Works. (Councilor Goss)
9. (2013-A174) ORDER, Authorize Purchase of a 1/2 Ton Pickup Truck for Parks and Recreation Department. (Councilor Verow)
10. (2013-A175) ORDER, Reallocating Excess Bond Proceeds. (Councilor Vachon)
11. (2013-A176) ORDER, Authorize Purchase of a Replacement 1 Ton Pickup Truck with a Utility Body for the Water Department. (Councilor Ferris)

D. Monthly Reports. (Councilor Verow)

E. Nominations, Appointments, Elections.

1. (2013-A177) ORDER, Appoint Successor Co-Trustee of the Paine Memorial Trust. (Councilor Goss)
2. (2013-A178) ORDER, Reappoint City Assessor. (Councilor Verow)
3. (2013-A179) ORDER, Appoint Voter Registration Appeals Board Member. (Councilor Vachon)
4. (2013-B063) RESOLVE, Confirm City Clerk's Appointment of Ward Clerk. (Councilor Ferris)

F. Unfinished Business.

1. (2013-C010) Amend Chapter 40 (Water Department), Article 2 (Superintendent of the Water Department), Article 3 (Transition Advisory Team), Article 4 (Advisory Board) and Article 5 (Terms and Conditions). (Councilor Ferris)(posted 9/18/13)

G. New Business.

1. (2013-A180) ORDER, Set Time and Location for Annual Meeting of the City Council and the School Committee.
(Councilor Goss)
2. (2013-A181) ORDER, Award Contract for the City Hall Parking Lot Lighting Improvements Project.
(Councilor Verow)

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of September 17, Special and Regular Meetings and September 26, 2013 Emergency Special Meeting.

ACTION: Councilor Verow moved that the minutes be accepted and placed on file. The motion was seconded and passed by unanimous vote.

B. Awards, Petitions and Public Comments.

2013-B061

October 8, 2013

TITLE: ORDER, RECOGNIZE SONDRAL. BARBER FOR 25 YEARS OF SERVICE TO THE CITY OF BREWER.

filed October 2, 2013
by Joseph Ferris

WHEREAS, as of October 3, 2013 Sondra (Santee) Barber has reached the milestone of 25 years of dedicated service to the City of Brewer as an employee of the Public Works Department; and

WHEREAS, Santee started her career in the Public Works Department on October 3, 1988 as a part-time Receptionist/Clerk Typist for the Department; and

WHEREAS, Santee's work ethic and abilities provided the Department with a clear and simple decision to extend her hours to have Santee take over the responsibilities of the Landfill Gate Attendant in April of 1989; and

WHEREAS, Santee's continued hard work and contributions to the Department were recognized in April of 1990 when she became a full-time member of the Department; and

WHEREAS, in February of 2001 Santee's duties were again extended as the Department's staffing levels were adjusted leaving Santee responsible for all duties of the front office of the Public Works Department; and

WHEREAS, Sandee has consistently shown the ability to adapt to changes in her duties with the Public Works Department as well as adjusting to four different Directors over her years of service;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends Sondra L. Barber for her many years of outstanding dedicated service to the citizens of the City of Brewer as a trusted and valuable employee of the Brewer Public Works Department.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed.

Councilor Ferris read the resolve into the record while presenting it to Sandee.

Director of Public Works Dave Cote said that Sandee was already working for the public works department when he came and she was a tremendous help in helping him get to know the people and the workings of the office.

The resolve was adopted by unanimous vote.

2013-B062

October 8, 2013

TITLE: ORDER, RECOGNIZE DANIEL R. TAYLOR FOR 25 YEARS OF SERVICE TO THE CITY OF BREWER.

filed October 2, 2013
by Jerry Goss

WHEREAS, on August 8, 2013 Daniel Taylor had reached the milestone of 25 years of continuous dedicated service to the City of Brewer as an employee of the Public Works Department; and

WHEREAS, Danny began his career in the Public Works Department on August 8, 1988 as a Light Equipment Operator; and

WHEREAS, over his years of service Danny has demonstrated his ability to competently operate all of the Department's equipment and was promoted to Heavy Equipment Operator in October of 2000; and

WHEREAS, Danny has served as a summer time Crew Leader and fill in Crew Leader for the Department when needed, is active in the City's and Department's Safety Committee, has provided driver training for newer Department employees, and has reached the level of Road Scholar with Maine Local Roads; and

WHEREAS, Danny has for 25 years provided the City with a high level of service and caring for the Brewer community in which he still serves;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends Daniel R. Taylor for his many years of outstanding dedicated service to the citizens of the City of Brewer as a trusted and valuable employee of the Brewer Public Works Department.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded and passed.

Councilor Goss read the resolve into the record while presenting it to Danny.

Public Works Director Dave Cote said that Danny was the one that he sent new employees out with to train them.

The resolve was adopted by unanimous vote.

PUBLIC COMMENTS.

Kim Korie-Kelly said that candidates night would be October 24, 2013 at 6:30 p.m. at the Brewer Community School. She wanted everyone to know that all were invited and that the candidates invitations were in the mail on their way to them.

Recess for Public Hearings.

1. Application of Green Point, 206 Green Point Road for Automobile Recycling Permit.

The public hearing was called to order by Chairman Kevin O'Connell.

The city clerk called the roll:

Councilor Ferris	-	present	Councilor Vachon	-	present
Councilor Goss	-	present	Chairman O'Connell	-	present
Councilor Verow	-	present			

Chairman O'Connell declared all members were present.

Chairman O'Connell read the public notice:

**CITY OF BREWER
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City Council of the City of Brewer will hold a public hearing on Tuesday, October 8, 2013 at 6:30 p.m. in the Council Chambers at Brewer City Hall, 80 North Main Street, Brewer, Maine to consider the application of Green Point for a permit to operate and maintain an automobile recycling business at 206 Green Point Road (Tax Map 7, Lots 23 & 26) for a period of five (5) years commencing October 1, 2013.

This application is available for public inspection at the office of the **Brewer City Clerk (989-7050)** and this notice is posted on the bulletin board at Brewer City Hall.

Any person may attend this public hearing and speak on this application. Written comments may also be submitted. The deadline for submission of written comments is 4:00 p.m. on October 8, 2013. Written comments should be addressed to Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

published September 30, 2013
in the Bangor Daily News

City Clerk Pamela Ryan said all the city inspectors had filed their inspection reports on the business property. All inspectors gave permission for the permit to be issued.

There were no comments from the public present either for or in opposition of the permit.

1. To determine if the building, or portion thereof, located at 4 Somerset Street (Assessor's Map 30, Lot 48) may be structurally unsafe, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance; dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

The public hearing was called to order by Chairman Kevin O'Connell.

The city clerk called the roll:

Councilor Ferris	-	present	Councilor Vachon	-	present
Councilor Goss	-	present	Chairman O'Connell	-	present
Councilor Verow	-	present			

Chairman O'Connell declared all members were present.

Chairman O'Connell read the public notice:

**CITY OF BREWER
PUBLIC NOTICE**

Notice is hereby given that the City Council of Brewer, Maine will hold a public hearing on Tuesday, the 8th day of October, 2013 at 6:00 p.m. in the Council Chambers at Brewer City Hall to determine if the building, or portion thereof, located at 4 Somerset Street (Assessor's Map 30, Lot 48) may be structurally unsafe, unstable, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

Any person may attend this public hearing and speak on this matter. Written comments may also be submitted. The deadline for submission of written comments is 4:00 p.m. on the date of the hearing. Written comments should be addressed to the Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

published September 30, 2013
in the Bangor Daily News

Code Enforcement Office Ben Breadmore gave a short report on the unstable, unsanitary etc. conditions of the building located at 4 Somerset Street. He had provided the City Council members with pictures and a written memo.

Deputy Code Enforcement Officer Stewart Brooks said he also was in attendance with Code Officer Breadmore and agreed with his assessment and added that there was also open sewage visible.

Deputy Fire Chief Ralph Cammack, who also was present for the inspection of this property, agreed with the Code Office's evaluation of the property.

Jeff Hamaday, caretaker of the property, agreed with the Code Office and the Deputy Fire Chief that the property needed to be demolished.

There were no other comments from the public present.

Councilor Verow made a motion to accept the report and photos presented by Code Officer Ben Breadmore and have them placed on file. The motion was seconded and passed by a 5 to 0 vote.

Public Hearings adjourned at 6:15 p.m.

The city clerk called the roll and all members of the council was present.

Chairman O'Connell said the regular meeting would resume at this time.

C. Consent Calendar.

ACTION: Councilor Ferris removed order 2013-A169. Councilor Goss removed order 2013-A170.

Councilor Verow moved that the remaining orders on the consent calendar have passage. The motion was seconded and passed by unanimous vote.

2013-A166

October 8, 2013

TITLE: ORDER, DIRECT THE CITY CLERK TO PUBLISH THE COMPLETE TEXT OF THE MUNICIPAL BALLOT FOR THE NOVEMBER 5, 2013 ELECTION IN THE BANGOR DAILY NEWS.

filed October 2, 2013
by Arthur Verow

WHEREAS, the City of Brewer annual municipal and school bond referendum election will be held on Tuesday, November 5, 2013; and

WHEREAS, Brewer City Charter, Article IV, Nominations and Elections, Section 6, states that after certification by the City Clerk of nomination signatures for candidates for election to City positions, the City Council must order one publication of the complete specimen ballot to be made in one, or more should the City Council deem it best, of the newspapers published in the City of Brewer or City of Bangor, such publication to be made not less than 7 days, nor more than 14 days prior to the election;

NOW, THEREFORE, BE IT ORDERED, that the municipal officers herewith direct the City Clerk to publish the complete text of the November 5, 2013 annual municipal and school bond referendum ballot in a newspaper published in the City of Brewer or City of Bangor to wit Bangor Daily News.

2013-A167

October 8, 2013

TITLE: ORDER, ISSUE GREEN POINT AN AUTOMOBILE RECYCLING PERMIT AT 206 GREEN POINT ROAD.

filed October 2, 2013
by Matthew Vachon

WHEREAS, orders passed by the Brewer City Council do not become effective until five days after approval unless such orders contain emergency preambles; and

WHEREAS, the date that the permit takes effect will be retroactive back to October 1st so it is imperative that this order take effect immediately; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer;

WHEREAS, Green Point has applied to the City of Brewer for an automobile recycling permit for its business located at 206 Green Point Road (Assessor's Tax Map 7, Lots 23 and 26); and

WHEREAS, a public hearing has been held on this application on October 8, 2013 as required by State Statute; and

WHEREAS, upon reviewing the application, receiving evidence and hearing testimony at said public hearing the City Council finds no cause to not issue said permit;

NOW, THEREFORE, BE IT ORDERED, that a non-transferable permit to operate and maintain an automobile recycling business at 206 Green Point Road be issued to Green Point for a five year term commencing retroactive to October 1, 2013 and expiring September 30, 2018.

2013-A168

October 8, 2013

TITLE: ORDER, DETERMINE THAT THE RESIDENCE/BUILDING
SITUATED AT 4 SOMERSET STREET, BREWER,
MAINE IS A DANGEROUS STRUCTURE PURSUANT
TO TITLE 17, M.R.S.A., SECTION 2851, ET SEQ.

filed October 2, 2013
by Joseph Ferris

EMERGENCY PREAMBLE

WHEREAS, an Order passed by the Brewer City Council does not become effective until five (5) days thereafter, unless such Order contains an emergency preamble; and

WHEREAS, it is imperative that this Order become effective without delay to protect the public health, safety and welfare of the citizens of the City of Brewer; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Codes and Ordinances of the City of Brewer and require that this Order become effective immediately; and

WHEREAS, the City Council has heard testimony from the City of Brewer's Code Enforcement Officer, Benjamin R.K. Breadmore, and other City employees that the residence/building situated at 4 Somerset Street in Brewer (Tax Assessor's Map 30, Lot 48) is structurally unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy for human habitation and therefore constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. § 2851, et seq.;

NOW, THEREFORE BE IT ORDERED, that the Brewer City Council hereby finds the residence/building situated at 4 Somerset Street is a dangerous building pursuant to Title 17 M.R.S.A. § 2851, et seq., because it is structurally unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy for human habitation and therefore constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property; and

FURTHER BE IT ORDERED, that if the owners and parties-in-interest fail to abate said nuisance within thirty-one (31) days from the date the Order becomes effective, then and in that event, the City Manager of the City of Brewer shall cause said nuisance to be abated and removed and all expenses thereof shall be repaid to the City of Brewer by the owners within thirty (30) days after demand or a special tax may be assessed by the Assessor against any real or personal property of the owners for the amount of such expenses and such amount shall be included in the next annual warrant to the Tax Collector of the said City of Brewer for the collection and shall be collected in the same manner as other state, county and municipal taxes are collected; and

FURTHER BE IT ORDERED, that if the owners and parties-in-interest fail to comply with this Order, the City Solicitor, or some other attorney representing the City, after consultation with the City Manager of the City of Brewer, determines that it is in the best interest of the citizens of the City of Brewer, shall have the authority as an alternative to institute a suit on behalf of the City of Brewer in the Penobscot County Superior Court to obtain a Court Order to authorize the City's removal of the residence/building on the said property and the disposal of the debris caused by said removal, along with the City's right to recoup the its costs pursuant to Title 17 M.R.S.A. § 2851, et seq.; and

FURTHER BE IT ORDERED, that this Order be recorded with the City Clerk and attested copies thereof served upon the owners and all parties-in-interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure and Title 17 M.R.S.A. § 2851, et seq.

2013-A169

October 8, 2013

**TITLE: ORDER, CLOSE OUT HUD FUNDED PROJECT TO REDEVELOP
FORMER MERSINGER LOT AND APPROPRIATE TIF
FUNDS TO COVER FINAL EXPENSES.**

filed October 2, 2013
by Jerry Goss

WHEREAS, in FY2013 the City completed the redevelopment of the former Mersinger lot located at the intersection of Main and Wilson Streets; and

WHEREAS, the City received a \$248,000 grant from the US Department of Housing and Urban Development (HUD) to help pay for the acquisition, demolition and redevelopment of this parcel; and

WHEREAS, at the beginning of the project the City estimated and appropriated an additional \$50,000 in TIF money to support this TIF eligible project although our approved TIF allows for the expenditure of up to \$114,000 in TIF funds on this redevelopment project; and

WHEREAS, the project is now complete and all invoices have been paid and an additional \$8,675.68 is needed to cover all costs;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby authorizes the appropriation of \$8,675.68 in TIF funds, retroactive to June 30, 2013, to the Mersinger lot redevelopment project to cover final expenses and further authorizes the close of these project accounts.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

Councilor Ferris asked Development Director D'arcy Main-Boyington what the total cost for the final expenses would be.

The order was passed by unanimous vote.

2013-A170

October 8, 2013

**TITLE: ORDER, AUTHORIZING ISSUANCE OF THE CITY'S GENERAL
OBLIGATION BONDS TO FINANCE VARIOUS
MUNICIPAL TRANSPORTATION AND INFRASTRUCTURE
PROJECTS AND A TAX LEVY THEREFOR.**

filed October 2, 2013
by Arthur Verow

BY THE CITY COUNCIL OF THE CITY OF BREWER, BE IT HEREBY ORDERED:

THAT pursuant to 30-A M.R.S.A. §5772 and all other authority thereto enabling, there is hereby authorized the issue and sale at one time and from time to time up to Nine Hundred Ninety Dollars (\$990,000) aggregate principal amount of general obligation bonds of the City of Brewer, the proceeds of which, including premium, if any, may be used and are hereby appropriated to finance various municipal transportation and infrastructure projects and equipment purchases as more specifically listed on Attachment A hereto, and to finance issuance costs with respect thereto.

THAT the date, maturities (not to exceed the maximum term permitted by law), denominations, interest rate or rates, place of payment, and other details of said bonds, including the timing and provision for their sale and award shall be determined by the City Treasurer/ Finance Director.

THAT the bonds hereby authorized may be made subject to call for redemption, with or without a premium, before the date fixed for final payment of the bonds, as provided in 30-A M.R.S.A. §5772(6), as amended, as shall be determined by the City Treasurer/ Finance Director.

THAT said bonds shall be signed by the City Treasurer/ Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and that said bonds shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof. Any issue of bonds may be consolidated with and issued at the same time as any other issue of bonds authorized prior to their issuance, and the bonds may be divided into multiple series and issued in separate plans of financing.

THAT in each of the years during which any of the bonds are outstanding, there shall be levied a tax in an amount that, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said bonds, payable in such years, and the principal of such bonds maturing in such years.

THAT pursuant to 30 A M.R.S.A. §5772, Article VI, Section 7 of the City Charter and any other authority thereto enabling, the City Treasurer/ Finance Director is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue, said notes to be signed by the City Treasurer/ Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and otherwise to be in such form and contain such terms and provisions including, without limitation, maturities (not to exceed 3 years from the issue date), denominations, interest rate or rates, place of payment, and other details as they shall approve, their approval to be conclusively evidenced by their execution thereof.

THAT the bonds and notes shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the bonds and notes of the same maturity (but not of other maturity), upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his or her attorney duly authorized in writing.

THAT the City Treasurer/ Finance Director and Chair of the City Council from time to time shall execute such bonds or notes as may be required to provide for exchanges or transfers of bonds or notes as heretofore authorized, all such bonds or notes to bear the original signature

of the City Treasurer/ Finance Director and Chair of the City Council, and in case any officer of the City whose signature appears on any bond or note shall cease to be such officer before the delivery of said bond or note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

THAT upon each exchange or transfer of bonds or notes, the City and transfer agent shall make a charge sufficient to cover any tax, fee, or other governmental charge required to be paid with respect to such transfer or exchange, and subsequent to the first exchange or transfer, the cost of which shall be borne by the City, the cost of preparing new bonds or notes upon exchanges or transfers thereof shall be paid by the person requesting the same.

THAT in lieu of physical certificates of the bonds and notes hereinbefore authorized, the City Treasurer/ Finance Director be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such bonds and notes in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraphs regarding physical transfer of bonds, and the City Treasurer/ Finance Director be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in her opinion, appropriate in order to qualify the bonds for and participate in the Depository Trust Company Book-Entry Only System.

THAT the officers executing such bonds or notes be and hereby are individually authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the bonds or notes authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such bonds or notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT the officers executing such bonds or notes be and hereby are individually authorized to covenant and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

THAT the City Treasurer/ Finance Director be and hereby is authorized and empowered to take all such action as may be necessary to designate the bonds or notes as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; it being the City Council's intention that, to the extent permitted under the Code, the bonds or notes be Section 265(b) designated and that the City Treasurer/ Finance Director with advice of bond counsel, make the required Section 265(b) election with respect to such bonds to the extent that the election may be available and advisable as determined by the City Treasurer/ Finance Director.

THAT the officers executing the bonds or notes be and hereby are individually authorized to covenant, certify, and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2 12 of the Securities and Exchange Commission, if applicable, are met.

THAT the investment earnings on the proceeds of the bonds, if any, and the excess proceeds of the bonds (including premium), if any, be and hereby are appropriated for the following purposes:

- To any costs of the projects listed on Attachment A;
- If the bonds are issued on a tax exempt basis, in accordance with applicable terms and provisions of the Arbitrage and Use of Proceeds Certificate delivered in connection with the sale of the bonds including, to the extent permitted thereunder, to the City's General Fund;
- To pay debt service on the bonds.

THAT if the actual cost of any project differs from the estimated cost on Attachment A, the City Treasurer/ Finance Director is authorized, in her discretion to reallocate proceeds of the Bonds to any other listed Project.

THAT the City Treasurer/ Finance Director, Chair of the City Council, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, agreements, assignments, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, including but not limited to a bond purchase agreement, a preliminary official statement and official statement if the bonds are underwritten in a public sale or a loan agreement with the Maine Municipal Bond Bank in usual and customary form, if the bonds are issued to or through the Maine Municipal Bond Bank, to carry out the provisions of this Order in connection with the issuance of the Bonds, the issuance, execution, sale, and delivery by the City of the bonds and notes and the execution and delivery of the documents, as may be necessary or desirable.

THAT if the City Treasurer/ Finance Director, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT if any of the officers or officials of the City who have signed or sealed the bonds and notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

THAT during the term any of the bonds are outstanding, the City Treasurer/ Finance Director is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer/ Finance

Director is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer/ Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

Attachment A

Road construction, repairs, paving and other improvements	700,000
Vehicles and Equipment	290,000
Total	990,000

ACTION: Councilor Verow moved that the order have passage. The motion was seconded.

Councilor Verow moved that the order be amended by inserting the word "Thousand" after the word ninety in the third line of the first paragraph of the order. The motion was seconded and passed by unanimous vote.

Councilor Verow moved that the order, as amended, have passage. The motion was seconded.

The order was passed, as amended, by unanimous vote.

2013-A171

October 8, 2013

TITLE: ORDER, ACCEPT PROCEEDS FROM SALE OF SURPLUS MATERIALS AND APPROPRIATE FOR USE.

filed October 2, 2013
by Matthew Vachon

WHEREAS, Public Works has received a check in the amount of \$255.45 from the sale of scrap materials from its vehicle repair shop; and

WHEREAS, Public Works desires to use these unanticipated proceeds to supplement its vehicle maintenance and repair budget;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith orders the proceeds from the sale of this surplus property be deposited into 0106604-300490 (Public Works – Misc Revenue) and appropriated for expenditure from 0116641-504200 (PW Vehicle Maintenance and Repair).

2013-A172

October 8, 2013

TITLE: ORDER, AUTHORIZE CONTRACT WITH T-BUCK CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION SERVICES FOR UV TREATMENT ADDITION AND INSTALLATION.

filed October 2, 2013
by Joseph Ferris

WHEREAS, EPA's LT2 rule requires the Brewer Water Department to install and operate secondary treatment for microbial contaminants no later than October 1st 2015; and

WHEREAS, UV treatment is a chemical free highly effective treatment process for the inactivation of microbial contaminants; and

WHEREAS, UV treatment is considerable less expensive to install and operate than a filtration system; and

WHEREAS, T-Buck Construction Inc. was the lowest qualified bidder; and

WHEREAS, this UV project was included in the Water Department's FY2013 CIP, and on July 24, 2012 the Brewer City Council approved up to \$1,100,000 in bond financing to pay for this project;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to enter into a contract for the amount of \$598,901 with T-Buck Construction Inc. for construction services for the proposed UV treatment upgrade; and

BE IT FURTHER ORDERED, that Council hereby authorizes up to an additional \$59,890 in contingency (10% of the bid price for a potential construction total of \$658,791) to be expended on construction if needed; and

BE IT FURTHER ORDERED, that the costs of these services be charged to account 0571003-573026 (UV TREATMENT UPGRADE) to be funded with a low interest loan to be issued in FY2014.

2013-A173

October 8, 2013

TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT 1 TON DUMP TRUCK/PLOW FOR PUBLIC WORKS.

filed October 2, 2013
by Jerry Goss

WHEREAS, bids were solicited, received and evaluated for the purchase of a 1 ton dump truck/snowplow to replace Public Works unit #425 a 2005 1 ton GMC; and

WHEREAS, Stoneham Motor Company, of Stoneham, MA provided the City with the lowest of the four bids received in the amount of \$33,267.00;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Stoneham Motor Company in the amount of \$33,267.00 for the purchase of a 2014, F350 Ford dump truck with plow; and

BE IF FURTHER ORDERED, that the current Public Works unit numbered 425, the 2005 GMC 1 ton dump truck, with a plow, be hereby declared surplus, be released and transfer ownership to Stoneham Motor Company once the replacement truck has been delivered to the City of Brewer; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the CIP account 0510133-551398, titled "1T Dump/Plow/Sander – FY14".

2013-A174

October 8, 2013

TITLE: ORDER, AUTHORIZE PURCHASE OF A 1/2 TON
PICKUP TRUCK FOR PARKS AND RECREATION
DEPARTMENT.

filed October 2, 2013
by Arthur Verow

WHEREAS, bids were solicited, received and evaluated for the purchase of a 1/2 ton Ford F150, 2014 replacement pickup truck; and

WHEREAS, Quirk, of Augusta, Maine provided the City with the lowest of the two bids received in the amount of \$23,167.50;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Quirk of Augusta in the amount of \$23,167.50 for the purchase of a 2014, F150 Ford 1/2 ton pickup truck; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the CIP account 0510134-551447.

Note: Only one other bid submitted was from Stoneham Ford in the amount of
\$26,567.00

2013-A175

October 8, 2013

TITLE: ORDER, REALLOCATING EXCESS BOND PROCEEDS.

filed October 2, 2013
by Matthew Vachon

WHEREAS, the FY14 CIP as approved anticipated \$1.1 million in bond financing and \$68,500 in previously approved capital funds reallocated from completed projects; and

WHEREAS, with the announcement in June 2013 of grant awards for the remediation and demolition of the former school buildings, previously approved capital funds borrowed for that purposes are now also available for reallocation and such a reallocation will allow the City to reduce the amount needed to borrow; and

WHEREAS, the surplus proceeds to be reallocated to support the FY14 CIP come from City of Brewer general obligations bonds and notes (the “Prior Obligations”) previously issued for certain municipal purposes (the “Prior Projects”) and are as follows:

Original Order #	Original Issue and Issue Date	Original Projects	Excess Proceeds
JUL12-A154	FY13 CIP - 5/23/13	School Bldg Remed & Demolition	100,000
JUL12-A154	FY13 CIP - 5/23/13	Dirigo Dr. Paving	6,000
JUL12-A154	FY13 CIP - 5/23/13	Elm St Overlay	14,725
JUL12-A154	FY13 CIP - 5/23/13	STERLING LT7501 WHEELER #422	7,000
JUL12-A154	FY13 CIP - 5/23/13	Pub Safety Computer Server	5,000
OCT02-A186	FY03 CIP - 12/1/02	Police Computer Replacement	1,800
SEP11-A176	FY12 CIP - 6/20/12	Wilson St. Widening (City Share 10%)	10,325
SEP11-A176	FY12 CIP - 6/20/12	John Deere Tractor/Loader	1,100
FEB11-A020	FY11 CIP - 5/26/11	Signal Replcmt Pkwy So/Wils (MDOT 17325)	2,660
JUN08-A107	FY09 CIP - 5/28/09	Aud Parking Lot Repave	5,515
JUN08-A107	FY09 CIP - 5/28/09	Pendelton Rink	14,675
JUL03-A131	FY04 CIP-10/28/04	GPS Hardware	700
	CIP fund balance	Oak Hill Erosion Control	3,000
		CIP-Fund Balance (Unallocated Reserve)	6,000
		TOTAL	178,500

WHEREAS, the City of Brewer now desires to reallocate the above excess proceeds of such Prior Obligations (the “Excess Proceeds”) to other municipal purposes (the “New Projects”) approved as part of the FY14 CIP as follows:

Account Number	New Projects	Reallocated Proceeds
0510104-551446	WASH ST COMPLEX IMPROVEMENTS	100,000
0510100-551024	School Bldg Remed & Demolition	
0510130-551026	PARKING LOT LIGHT IMPROVEMENTS	20,000

City Council Minutes
October 8, 2013

0510113-551389	Dirigo Dr. Paving	
0510113-551390	Elm St Overlay	
0510120-551001	CITY HALL INFRASTRUCTURE	20,000
0510124-551403	Pendelton Rink	
0510113-551318	Wilson St. Widening (City Share 10%)	
0510134-551434	AUDITORIUM DOORS,WINDOWS,IMP	10,000
0510104-551435	Aud Parking Lot Repave	
0510134-551443	John Deere Tractor/Loader	
0510113-551381	Signal Replcmt Pkwy So/Wils (MDOT 17325)--City 10% Share	
0510113-551390	Elm St Overlay	
0510130-551027	Wide Format Printer/Scanner/Copier	9,000
0510132-551213	Police Computer Replacement	
0510133-551388	GPS Hardware	
0510104-551418	Oak Hill Erosion Control	
0510140-551090	CIP-Unallocated Res.	
0510113-551600	Stormwater Drainage Improvements	7,500
0510133-551393	STERLING LT7501 WHEELER #422	
0510133-551388	GPS Hardware	
0510132-551219	FIRE COMPUTER REPLACEMENT	5,000
0510132-551209	Pub Safety Computer Server	
0510132-511200	Police Vehicles	2,000
0510140-551090	CIP-Unallocated Res.	
0510140-551000	CIP BOND FINANCING COST	5,000
0510113-551318	Wilson St. Widening (City Share 10%)	

TOTAL 178,500

NOW, THEREFORE, BY THE CITY COUNCIL OF THE CITY OF BREWER, BE IT HEREBY ORDERED:

THAT the Original Orders be and hereby are amended to provide that the purpose for which the Prior Obligations were authorized and issued be and hereby is amended to include the New Projects indicated above; and

THAT the Excess Proceeds be and hereby are allocated and appropriated to fund the costs of the above-listed New Projects; and

THAT, if the amount of Excess Proceeds needed to complete any New Project listed above differs from the amount listed above, the City Treasurer/ Finance Director is authorized, in her discretion, to further reallocate proceeds to any of the other listed New Projects or to any Prior Project.

TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT 1 TON PICKUP TRUCK WITH A UTILITY BODY FOR THE WATER DEPARTMENT.

filed October 2, 2013
by Joseph Ferris

WHEREAS, bids were solicited, received and evaluated for the purchase of a 1 ton pickup with a utility body to replace Water Department unit #752 a small Chevy s10 2003 pickup; and

WHEREAS, Stoneham Motor Company, of Stoneham, MA provided the City with the lowest of the three bids received in the amount of \$39,574.00 ; and

WHEREAS, the FY14 Water CIP included \$32,000 for this purchase and there is \$7,574 in surplus funds in three other water capital accounts from projects that came in underbudget that could be applied to this truck purchase;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Stoneham Motor Company in the amount of \$39,574.00 for the purchase of a 2014, F350 Ford Pickup truck with utility body; and

BE IF FURTHER ORDERED, that the current Water Department unit numbered 752, Chevy s10 2003 pickup, be declared surplus and be sold with proceeds from sale to be placed into Water Capital Improvement Fund 5700; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the CIP account 0571003-570329 to be funded with approved FY14 capital funds and reallocation of surplus funds from the following accounts:

\$3,000	0571003-573024 Water Line Locator
\$3,064	0571003-573027 Flouride Analyzer
<u>\$1,510</u>	0571003-573028 Chlorine Monitor
\$7,574	

D. Monthly Reports.

ACTION: Councilor Verow moved that the monthly reports from the city departments be accepted and placed on file. The motion was seconded and passed by unanimous vote.

E. Nominations, Appointments, Elections.

2013-A177

October 8, 2013

TITLE: ORDER, APPOINT SUCCESSOR CO-TRUSTEE OF THE PAINE
MEMORIAL TRUST.

filed October 2, 2013
by Jerry Goss

EMERGENCY PREAMBLE

WHEREAS, orders passed by the Brewer City Council do not become effective until five days after approval unless such orders contain emergency preambles; and

WHEREAS, the signing to appoint the successor co-trustee for this trust will fall within these five days; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer;

WHEREAS, Lawrence K. Paine established the Paine Memorial Trust to help provide for the care and maintenance of the Paine Memorial Building located at the Woodlawn Cemetery in Brewer; and

WHEREAS, Lawrence K. Paine appointed his wife, Sylvia Paine, and his accountant, Leo M. Loiselle, CPA, as Co-Trustees of the Paine Memorial Trust; and

WHEREAS, Sylvia Paine has since died and a successor Trustee by the name of Diane S. Mellott was appointed in August of 2013 who has also since died; and

WHEREAS, another successor Co-Trustee needed to be appointed pursuant to the Term of said Trust; and

WHEREAS, Sylvia Paine and Diane S. Mellott has failed to name a successor Co-Trustee prior to her death; and

WHEREAS, Paragraph 11 of the said Trust provides that in the event a Co-Trustee fails to name his or her successor, the City Council of the City of Brewer, as its governing body, shall have the responsibility to do so; and

WHEREAS, the surviving Co-Trustee of the said Trust, Leo Loiselle, CPA, has suggested that Lawrence K. Paine's granddaughter, Suzette Trennam (daughter of Diane Mellott) be appointed as successor Co-Trustee; and

WHEREAS, the City Council agrees with the suggestion that Suzette Trennam be appointed as successor Co-Trustee of the said Trust;

NOW THEREFORE BE IT ORDERED, that Suzette Trennan is hereby appointed successor Co-Trustee, in the place of Diane Mellott, of the Paine Memorial Trust pursuant to Paragraph 11 of Indenture the Trust; and

FURTHER BE IT ORDERED, the members of the City Council shall sign the attached Appointment of Successor Trustee of the Paine Memorial Trust and cause it to be delivered to the attorney for the said Trust.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

2013-A178

October 8, 2013

TITLE: ORDER, REAPPOINT CITY ASSESSOR.

filed October 2, 2013
by Arthur Verow

ORDERED, that Steven T. Weed of Lamoine, Maine is herewith reappointed to the position of City Assessor for a term commencing October 22, 2013 and expiring October 22, 2015 (expiration date of current contract).

ACTION: Councilor Verow moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

2013-A179

October 8, 2013

TITLE: ORDER, APPOINT VOTER REGISTRATION APPEALS BOARD MEMBER.

filed October 2, 2013
by Matthew Vachon

WHEREAS, Title 21-A, M.R.S.A., Section 103, provides that municipalities with populations of 5000 or greater have an appointed Registration Appeals Board to hear the appeal of any person aggrieved by the decision of the Registrar of Voters to remove a name from the voting list or to refuse to place it on the voting list; and

WHEREAS, the Registration Appeals Board shall consist of 3 members appointed by the City Council as follows: one member shall be nominated by the Republican City Committee; one member shall be nominated by the Democratic City Committee and the third member, who shall serve as chairman of the board, shall be nominated by the City Clerk; and

WHEREAS, there is a vacancy on the board due the passing of member Robert Boober, Jr. who served as Chairman of the Registration Appeals Board; and

WHEREAS, a nomination from the City Clerk for appointment for chairman of the board has been made;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith appoints the following nominee to the Registration Appeals Board to fill a vacancy:

MEMBER

TERM

Alison Beane, Chairman

October 13, 2013 – October 31, 2016

ACTION: Councilor Vachon moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

2013-B063

October 8, 2013

TITLE: RESOLVE, CONFIRM CITY CLERK'S APPOINTMENT OF
WARD CLERK.

filed October 2, 2013
by Joseph Ferris

WHEREAS, Article IV, Section 1 of the Brewer City Charter provides, in part, that the City Clerk shall appoint wardens and ward clerks to preside over elections in the City; and

WHEREAS, these appointments are for terms of two years each and are subject to confirmation by the City Council; and

WHEREAS, the City Clerk wishes to appoint the following as ward clerk to fill a vacancy, due to the passing of a long time ward clerk, effective October 13, 2013 and expiring November 10, 2014:

Ward Clerk

Doris Seymour

AND WHEREAS, the City Council concurs with this appointment of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk's appointment of Doris Seymour as ward clerk for the City of Brewer is herewith confirmed by the City Council.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed.

The resolve was adopted by unanimous vote.

F. Unfinished Business.

2013-C010 AMEND CHAPTER 40 (WATER DEPARTMENT), ARTICLE 2,
(SUPERINTENDENT OF THE WATER DEPARTMENT, ARTICLE 3
(TRANSITION ADVISORY TEAM), ARTICLE 4 (ADVISORY BOARD)
AND ARTICLE 5 (TERMS AND CONDITIONS).

ACTION: Councilor Ferris moved that proposed ordinance amendment be enacted.
The motion was seconded and passed by unanimous vote.

G. New Business.

2013-A180

October 8, 2013

**TITLE: ORDER, SET TIME AND LOCATION FOR THE ANNUAL MEETING
OF THE CITY COUNCIL AND THE SCHOOL COMMITTEE.**

filed October 2, 2013
by Jerry Goss

WHEREAS, Article II, Section 5 of the Brewer City Charter provides that the City Council shall meet and organize on the third Tuesday in November to have City Council members, elected at the annual municipal election, sworn to office and to elect a City Council Chairman or Mayor; and

WHEREAS, the location and time of this annual meeting shall be determined by vote of the City Council;

NOW, THEREFORE, BE IT ORDERED, that the annual meeting of the Brewer City Council for the year 2013 shall be held on Tuesday, November 19, 2013 at _____ p.m. at _____; and

FURTHER ORDERED, that the City Manager or the City Clerk chose an alternate site if _____ is not available on the above date and time.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded.

Councilor Goss that the order be amended by inserting the time of “6:00” and the words “Jeff’s Catering, 15 Littlefield Way, Brewer, Maine” in the blanks of the third paragraph of the order and inserting the words “Jeff’s Catering” in the blank of the last paragraph of the order.

The motion was seconded and passed by unanimous vote.

The order, as amended, was passed by unanimous vote.

2013-A181

October 8, 2013

**TITLE: ORDER, AWARD CONTRACT FOR THE CITY HALL PARKING LOT
LIGHTING IMPROVEMENTS PROJECT.**

filed October 2, 2013
by Arthur Verow

WHEREAS, the approved FY2014 CIP included an appropriation of \$20,000.00 for improvements to the lighting of the Church Street parking lots across from City Hall; and

WHEREAS, the Engineering Department has designed the new lighting layout and solicited, received and reviewed bids for the completion of the project;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to execute a contract with _____ of _____ (the low bidder) in an amount not to exceed \$_____ for the completion of the City Hall Parking Lot Lighting Improvements Project; and

BE IT FURTHER ORDERED, that the costs of this project shall be charged to CIP account 0510130-551026 (Parking Lot Lighting Improvements).

ACTION: Councilor Verow moved that the order have passage. The motion was seconded.

Councilor _____ that the order be amended by inserting the words “C.C. Electric of Carmel, Maine” in the blanks of the third paragraph of the order and inserting the amount of “\$19,000.00 in the blank following the word exceed in the same paragraph of the order.

The motion was seconded and passed by unanimous vote.

The order, as amended, was passed by unanimous vote.

H. Items with Leave of Council.

No items.

Chairman O’Connell said he would accept a motion for adjournment.

ACTION: Councilor Goss moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 6:27 pm.

ADJOURNED, ATTEST:_____ Pamela J. Ryan

City Clerk

A TRUE COPY, ATTEST:_____ Brewer, Maine